The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUAN TAJALLE, Plaintiff, vs. CITY OF SEATTLE, SEATTLE PUBLIC LIBRARY, OFFICER SAM 8, a.k.a. JOHN DOE #1, and JOHN DOE #2, Defendants.	No. C07 1509TSZ DECLARATION OF DAVID ADAMS

I, David Adams, declare as follows:

1. I am a security officer employed by the Seattle Public Library. On June 14, 2006, I was on duty at the security desk near the 4th Avenue entrance to the Library. On that day, I observed an incident involving a patron I later learned was Juan Tajalle. Attached as Exhibit 1 is a copy of the incident report I completed shortly after the events described. Attached as Exhibit 2 is a copy of the exclusion order described in the incident report.

2. At the time of the events described in my report, it was my intent to enforce the Library's rules of conduct. Mr. Tajalle was asked to leave the Library because his behavior

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violated those rules in my judgment. It was not my intent to deprive Mr. Tajalle of any right he has under the law.

3. At the time of the incident, Mr. Tajalle was not detained. He was not frisked, and his bag was not searched. He was not moved to a non-public area, but was asked to go outside the Library. It is Library policy to call the Seattle police when a member of the public is detained, and the police were not called on account of the events described in the incident report.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 8 day of January, 2008, at Seattle, King County, Washington.

David Adams

DAVID ADAMS

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Address: Po Box 21434					
City: Seattle			**State**: Washington		**Zip**: 98111
Race Caucasian	African American	Asian X	Hispanic	Native American	
Other: Male wears military clothing, large black boots and a black beret.					
Sex: Male	**DOB: 01/25/1944**	**HGT**: 6'0"	**WHT: 220**	**Hair**: Bald	
Eyes: Brown	**Driver License #:**		**Other:** State ID		

Victim or Witness

Check one	**Victim**:	**Witness**:		
Last Name:		**First**:		**MI**
Address:				
City:		**State**:		**Zip**:
Sex:	**DOB**		**Phone**:	**EXT**:
Patron: **Employee**: *Check one*	**Driver License / ID Number #:**			

Description of Incident:

On the above date and approximate time, I, Security Officer David Adams, was at the 4th Ave Security desk when an Asian male adult wearing military style clothing, which consisted of a tan outfit with a black beret and a pair of black military boots, walked into the library and looked at me in an agitated way. I looked back at the male, due to the male being known to act aggressive toward the Security staff for an unknown reason. Once the male saw me looking at him, he sneezed loudly, and then sneezed again. The male had been known to do this when Security Officers walked past him and the male had did it to me the day earlier as I walked by him in the spiral. At this time, a disabled white male adult stated to the male "gazoontike!" due to the male having sneezed so loudly. Once the disabled white male got up, the Asian male looked at him, stood there and did not get on the elevator. As the frail white male walked past the Asian male, the Asian male leant down to the white male and stated, "You fucking with me?" The white male said that he was not and walked away as quickly as he could. At this time, the male looked around at me and yelled, "What are you smiling at?" I did not answer the male so the male took off his headphones walked agitatedly up to the Security desk, got into my face and yelled, "What are you fucking laughing at!" At this time, I got up from my seat and told the male to leave the building. Officer Rambayon, who had been at the desk while the event took place, asked the male what his problem was and that if a person smiled at them it was a nice gesture, not an insult. The male became very loud and belligerent and began yelling and used profanity. I then advised the male that he was excluded from the library for his actions and told him to leave. The male continued to use foul language and began walking toward the elevator. Due to the male refusing to leave, I walked over to the male and advised him that he was excluded from the building and had to leave the library. The male began yelling louder and stated that he "had not fucking done anything." At this time, Officer Rambayon told the male to exit the library so we could talk to him outside. The male began walking towards the doors, still being threatening towards Security and patrons. Officer Rambayon walked into the one-person door slots to exit, but the male attempted to enter the same door slot, which was only made for one person. Once the male got half way into the door slot, the other door swung around catching the male's backpack between the door and the doorframe. At this time, the door collapsed and the male grabbed his arm and fell to the ground stating that the door had hit his arm. Once the male was on the ground the male began yelling and used profanity. The male was asked to get up, but the male stated that his arm was broken. At this time, the male was asked if he wanted medical

See back or page two or three for more information and Text of Incident

EXHIBIT 1

treatment and he stated that he did. I then walked over to the Security desk and called 911 for an aid unit. As the male was sitting on the ground waiting for the aid unit, Officer Rambayon asked the Asian male, "Did I cause your injury?" The Asian male replied, "No, man. It wasn't your fault. It was an accident." Once the SFD medics arrived, they asked the male what was wrong. The Asian male stated that his shoulder was broken. Two SFD medics then took hold of the male by BOTH his shoulders and pulled the Asian male up without any complaint from the Asian male. The SFD medics indicated that if the male's shoulder had indeed been broken, they would not have been able to pick the male up by the shoulders without the Asian male complaining. Once the male was outside, he argued with the medics and stated that his shoulder was broken and that he needed to go to the hospital. While the Asian male waited for transportation, I obtained the males name and other needed information so I could fill in exclusion order form # 1543. Once this was completed, I handed the male his copy of the exclusion order and advised him that he was now excluded from the library for at least 14days and that the exclusion order may be extended for up to one year. About five minutes later, an ambulance arrived and transported the male to the hospital. END OF REPORT.

Officer's Name: David Adams	
Officer's Signature David Adams	
Reviewed by: [signature]	Date: 6/19/06

See back or page two or three for more information and Text of Incident

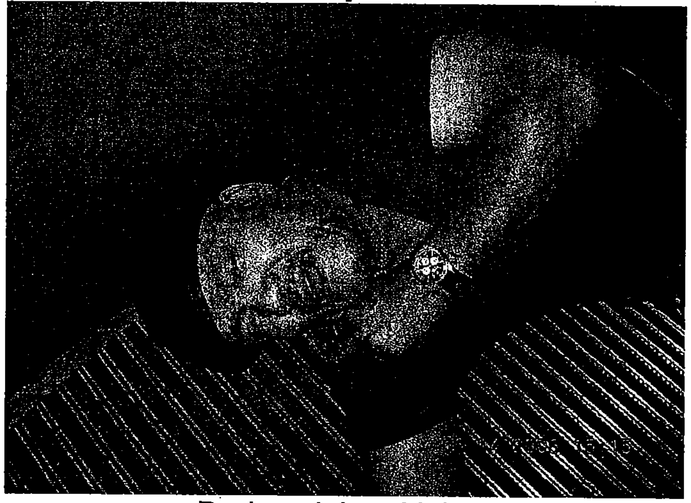
SPL Security Incident Report 8/05

Seattle Public Library Security Incident Report

Short Form

Incident Date: 06/14/06	**Time: 1520**	**Incident Type:** Disruptive Behavior/Harassment/Refusal to comply/Misconduct/Threat of force	#06387
Address/Location of Incident: 1000 4th Ave Seattle Public Library, level 1			

Suspect



During claimed injury

Minutes after said injury. SFD stood patron up by both his shoulders without any complaint from patron.

Last Name: Tajalle	**First**: Juan	**MI:** A

See back or page two or three for more information and Text of Incident

206-386-4636 600-56120

1543

The Seattle Public Library

NOTICE OF EXCLUSION ORDER

SUBJECT'S NAME Juan A Tajalle
DATE 6/14 TIME 1520 LOCATION: ☒ Central ☐ Other
ID TYPE # STATE
DOB 1/25/44 RACE Asian HT WT
HAIR Bald EYES Brown SEX Male

This is notification that you have violated one or more of The Seattle Public Library Rules of Conduct or are trespassing. You are ordered to leave the premises and not return to any The Seattle Public Library site for 14 days under RCW 27.12.290. Certain violations may result in an administratively extended exclusion period up to one year.

The reason for this exclusion order is:

- ☐ Alcohol/Drug Violations
- ☒ Failure to Comply with Staff Request
- ☐ Offensive Hygiene
- ☒ Assault/Threat of Force
- ☒ Harassing Behavior
- ☒ Misconduct
- ☐ Consuming Food or Beverage
- ☐ Large Article(s)
- ☐ Sleeping/Camping
- ☒ Disruptive Behavior
- ☐ Theft or Misuse of Library Property
- ☐ Trespass
- ☐ Other

Comments:
Stated that SI did not do it.

I acknowledge and understand that I am no longer permitted, invited, licensed, or otherwise privileged to enter upon or remain in or on the premises of any The Seattle Public Library for any reason for the time period noted above. I acknowledge that I have received a copy of this Notice of Exclusion Order and understand that, even if I refuse to sign it, I can be arrested if I enter or remain in or on any The Seattle Public Library premises for the time period noted above.

Subject's signature ☐Refused ☐Unable

Badge number of Library Officer issuing the Notice of Exclusion Order:
SAM 8

You may request an administrative review of exclusion orders in excess of seven days by writing to Administrative Review, 1000 Fourth Ave., Seattle, WA 98104-1109, or e-mailing administrative.review@spl.org. Your review request must be sent on or before the 14th calendar day after the date on this notice.

MS-27 rev. 03/2006

EXHIBIT 2